

**RESOLUTION
OF
BOARD OF DIRECTORS OF PINE TREE LEGAL ASSISTANCE**

**In Support of Enhanced Private Attorney Involvement
with LSC-Funded Programs**

Whereas, the Legal Services Corporation and the programs it funds, including Pine Tree Legal Assistance, have long recognized that the overarching values of private attorney involvement to LSC-funded programs are increased access, increased human and capital resources, and increased *pro bono* commitment; and

Whereas, at its April 2007 meeting, the Board of Directors of the Legal Services Corporation adopted Resolution 2007-003 supporting and encouraging private attorney involvement and urging governing boards of LSC-funded programs to collaborate with other organizations to effectively engage lawyers in *pro bono* representation and other services that benefit low-income persons; and

Whereas, the LSC Board of Directors resolution builds upon the following national LSC initiatives:

- The October 2005 LSC report, *Documenting the Justice Gap in America: The Current Unmet Civil Legal Needs of Low-Income Americans*, which found that 50 percent of the potential clients requesting assistance from an LSC grantee were turned away for lack of resources on the part of the program;
- The *LSC Strategic Directions 2006-2010*, which calls upon LSC to increase public awareness of and support for legal services to low-income persons in order to respond appropriately to more of their legal needs;
- The *LSC Performance Criteria*, which consider, in evaluating a program's legal representation and other activities intended to benefit the low-income population in its service area, whether that program effectively integrates private attorneys into its work in order to supplement the amount and effectiveness of its representation and other services;
- The Provision for the Delivery of Legal Services Committee of the LSC Board of Directors 2006 meetings, which highlighted the potential, opportunities and challenges of private attorney involvement and determined ways in which this critical resource can be used more effectively by LSC-funded programs as a means to help close the justice gap;
- The unanimous adoption in January 2007 by LSC Board of Directors of a strategic work plan entitled *Action Plan for Private Attorney Involvement: Help Close the Justice Gap, Unleash the Power of Pro Bono*, which highlights the benefits of engaging private attorneys to help represent clients of LSC-funded programs and

describes ways in which the LSC Board and staff will work to expand private attorney involvement.

- The American Bar Association's Model Rule 6.1 and similar state bar rules note the professional responsibility of every lawyer to provide *pro bono* legal assistance to persons of limited means;

Whereas, the value of a similar *pro bono* resolution on behalf of low-income Maine residents is reflected by the following developments:

- According to the 2000 Census, there are over 224,000 residents of Maine now living at or below 125% of the federal poverty level, as well as thousands of other individuals who are vulnerable as social or economically needy elders, minorities or recent immigrants, who will experience one or two problems each year that require some legal resolution; and
- Maine studies suggest that 83% of financially eligible individuals will not receive needed services from a legal aid provider because of the lack of staff resources, and 85% of households who do access legal services will only receive brief service or a consultation, meaning that these individuals must still proceed without the assistance of an attorney; and
- The Maine Justice Action Group has recently issued a draft planning report related to its statewide planning initiative which includes recommendations to increase the number of individuals who have the assistance of a legal professional and to expand resources to reduce the unmet need for legal assistance; and
- Over the years, efforts to ensure access to justice for our State's most vulnerable residents have relied in part on thousands of private attorneys who undertake *pro bono* representation of those unable to pay for a lawyer. Historically, Maine has been a leader in *pro bono* participation by private attorneys. However, the changing nature of law firm practice in Maine, the reduction in volunteerism in society as a whole, and growing economic pressures on the profession are challenging Maine's leadership in this area. The promise of a recent Maine Bar Rule authorizing the provision of "unbundled" legal services has yet to be fully realized. And, increasingly, the Maine Volunteer Lawyers Project and other legal aid providers have struggled to find *pro bono* representation for a growing body of cases, especially in the area of family law.

Now, Therefore, Be It Resolved that the Board of Directors of Pine Tree Legal Assistance, in an effort to help close the justice gap in Maine, supports and encourages private attorney involvement with Pine Tree Legal Assistance and the Maine Volunteer Lawyers Project and will endeavor to:

- Collaborate with other organizations and entities in the State of Maine to develop and facilitate educational efforts that demonstrate the extent of the unmet civil legal need

and encourage collective responsibility within the State by both public and private entities to help meet this unmet civil legal need;

- Collaborate with other organizations and entities in the State of Maine to develop effective strategies for engaging lawyers in *pro bono* representation and other services that benefit low-income persons;
- Consider including in that collaboration organizations and entities such as the Maine State Bar Association, the Maine Trial Lawyers Association, local county bar associations, the Justice Action Group and its various task forces, the University of Maine School of Law and Cumberland Legal Aid Clinic, and other legal aid providers and law firms throughout the State; and
- Develop strategies that encourage *pro bono*, including creative recruitment methods and delivery models, attorney practice and continuing legal education rules, and training, mentoring, support, and recognition of volunteers.

Be it Further Resolved that the Board of Directors of Pine Tree Legal Assistance will promote, support and encourage private attorney involvement initiatives by publicizing and recognizing private attorney involvement in the work of Pine Tree Legal Assistance and by collaborating with national, state and local organizations to create opportunities for such publicity and recognition.

Adopted by the Board of Directors of Pine Tree Legal Assistance on September 26, 2007



Board President